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In light of the new evidence presented herewith, namely the Declaration of Mr. Maltby, and the showing of facts therein, the *res judicata* rejection of claims 1 to 4 is no longer warranted. See *In re Russell*, 439 F.2d 1228, 169 USPQ 426 (CCPA 1971), *In re Ackerman*, 444 F.2d 1172, 170 USPQ 340 (CCPA 1971) and *In re Herr*, 377 F.2d 610, 153 USPQ 548 (CCPA 1967).

Note is also made that the Examiner is in error in alleging that Reach shows the invention substantially as claimed. For example, claim 26 requires a line to have two portions that are disposed (1) not only in a common plane with the longitudinal axis of the putter shaft (2) but also in a plane parallel to a plane containing the striking face of the putter head. As can be seen in Figs. 1 and 2 of Reach, the face a2 of the putter head is inclined to the vertical and is clearly not parallel to the sighting line c on the hosel.

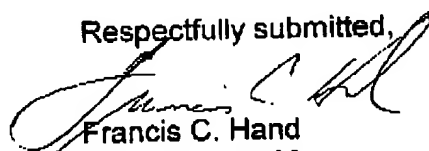
Further, there is no teaching in Reach that the sighting line c is to be in a common plane with the longitudinal axis of the golf club shaft.

A request for a Three Month Extension of Time is being submitted separately herewith.

Entry of this Amendment and Declaration for purposes of Appeal is requested.

The application is believed to be in condition for allowance and such is respectfully requested.

Respectfully submitted,



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